

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

ASHLEY ADAMS, individually and as the  
representative of the Estate of RODNEY GERALD  
ADAMS; and WANDA ADAMS, individually;

CARLETTE HUNTER JAMES, individually and as  
the representative of the Estate of KENNETH  
WAYNE JAMES; KRISTY JAMES, KRYSTAL  
JAMES, KENDRICK JAMES, ARLETT JAMES,  
JONATHAN JAMES and KENNETH EVANS,  
individually and as heirs-at-law to the Estate of  
Kenneth Wayne James, and MARY LOU JAMES,  
individually,

CADE HUDSON, individually and as the  
representative of the Estate of DOUGLAS HUDSON,

PLAINTIFFS

v.

BRAD LIVINGSTON, individually and in his official  
capacity, RICK THALER, WILLIAM STEPHENS,  
ROBERT EASON, DENNIS MILLER, TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE, and  
UNIVERSITY OF TEXAS MEDICAL BRANCH

DEFENDANTS

CIVIL ACTION NO.  
3:13-cv-217  
JURY DEMANDED

**PLAINTIFFS' RESPONSE TO DEFENDANT UNIVERSITY OF TEXAS  
MEDICAL BRANCH'S MOTION TO DISMISS**

After considering Defendant's motion to dismiss, Plaintiffs' response, any  
and all reply briefing, the arguments of counsel and all applicable law, the Court  
denies Defendant UTMB's motion to dismiss in its entirety.

Date: \_\_\_\_\_, 2013.

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GREGG COSTA  
United States District Judge